



**RCA
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION**

**AGENDA ITEM NO.: 23
AGENDA DATE: Thu 03/23/2006
PAGE: 1 of 1**

SUBJECT: Authorize payment to ENTERPRISE TEXAS PIPELINE L.P. for the City's participation of the utility relocation of approximately 157 feet of casing extension for a 20-inch natural gas pipeline owned by Enterprise Texas Pipeline L.P. for the State Highway 71 Project, from Woodward Street to FM 973 in Del Valle for the State Highway 71 Project in accordance with the June 27, 1986 Agreement for the Right-of-Way Procurement with the Texas Department of Transportation in the amount not to exceed \$140,914.93.

AMOUNT & SOURCE OF FUNDING: Funding in the amount of \$14,091.49 (the City's 10% contribution to the project) is available in the Fiscal Year 2005-2006 Amended Capital Budget of the Public Works Department.

FISCAL NOTE: A fiscal note is attached.

REQUESTING Public Works
DEPARTMENT:

DIRECTOR'S
AUTHORIZATION: Sondra Creighton

FOR MORE INFORMATION CONTACT: Lauraine Rizer, 974-7078; Laura Bohl, 974-7064

PRIOR COUNCIL ACTION: 2/85 - 6/90 Supplemental Contract.

BOARD AND COMMISSION ACTION: N/A

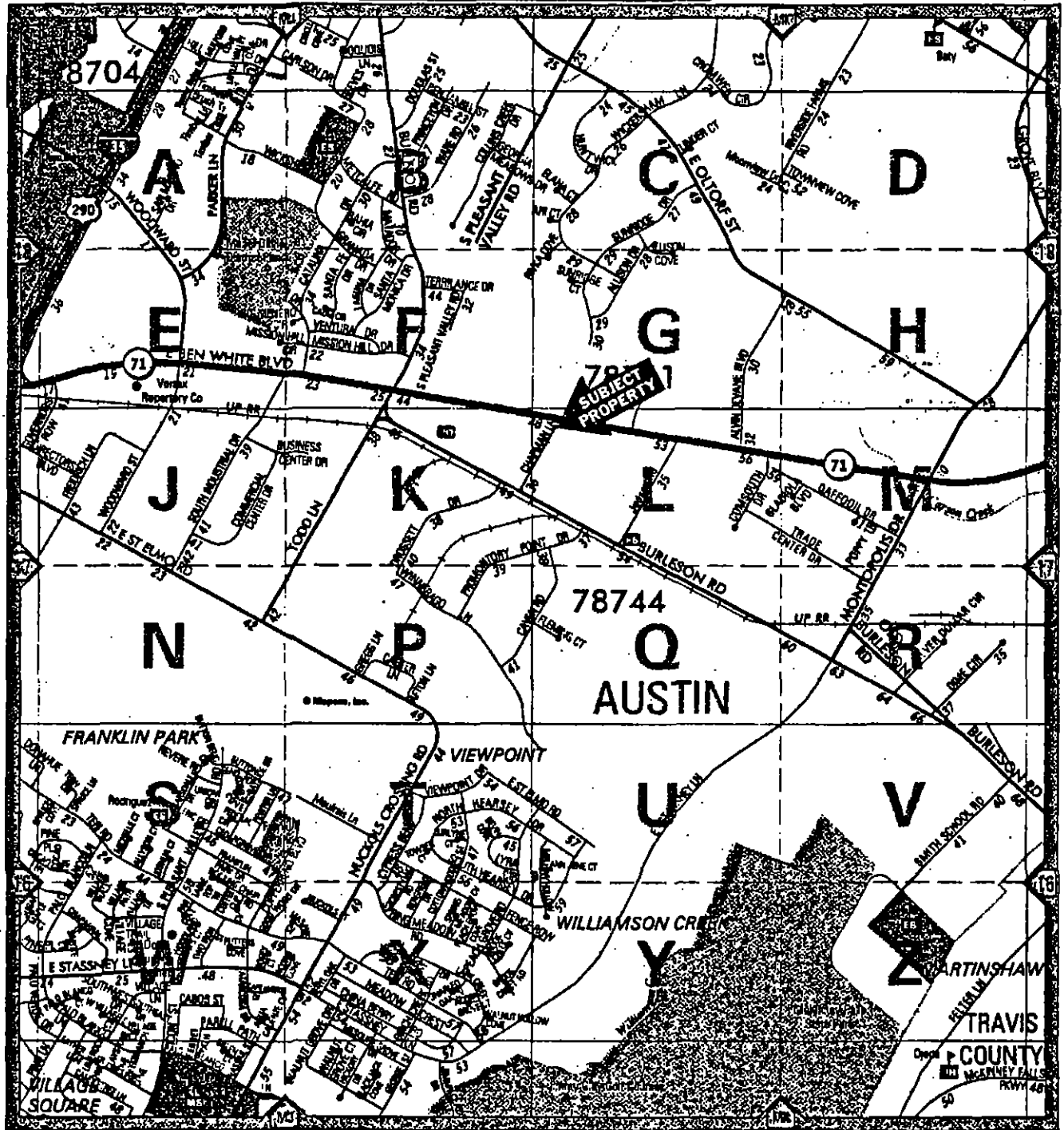
PURCHASING: N/A

MBE / WBE: N/A

In 1986, the City entered into a Contractual Agreement with the Texas Department of Transportation requiring the City to relocate utilities within the State Highway 71 project boundaries. The agreement requires the City to reimburse Enterprise Texas Pipeline L.P., 100% of the cost for relocation. Once payment is made in full to Enterprise Texas Pipeline L.P. by the City, the State will then reimburse the City 90% of the cost of relocation. The agreement with Texas Department of Transportation requires the City of Austin to contribute 10% of the cost for the State Highway 71 project.

The acquisition portion of the contract was renegotiated and changed to reflect the State acquiring easement and the City reimbursing the State 10%. The relocation of the utilities was not renegotiated at that time. Therefore, the City is still under the original obligation to pay for relocation with the State reimbursing the City 90% after final payment to the utility is made. The area of this utility relocation was not impacted by the Second Supplemental Contractual Agreement for Right-of-Way Procurement, ratified in Resolution No. 20050818-022.

The Texas Department of Transportation is currently in the construction phase of this account segment and is requiring the City's reimbursement to Enterprise Texas Pipeline L.P. in the amount of \$140,914.93 for relocation of approximately 157 feet of casing extension for a 20-inch natural gas pipeline owned by Enterprise Texas Pipeline L.P., to accommodate the road widening of State Highway 71.



CONTINUED ON MAP 644

CONTINUED ON MAP 646

CONTINUED ON MAP 647



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**CIP BUDGET
FISCAL NOTE**

DATE OF COUNCIL CONSIDERATION:

23-Mar-06

WHERE ON AGENDA:

Resolution

DEPARTMENT:

Public Works Department

DESCRIPTION: Authorize payment to ENTERPRISE TEXAS PIPELINE L.P. for the City's participation of the utility relocation of approximately 157 feet of casing extension for a 20-inch natural gas pipeline owned by Enterprise Texas Pipeline L.P. for the State Highway 71 Project, from Woodward Street to FM 973 in Del Valle for the State Highway 71 Project in accordance with the June 27, 1986 Agreement for the Right-of-Way Procurement with the Texas Department of Transportation in the amount not to exceed \$140,914.93.

FINANCIAL INFORMATION:

Project Name:	US Highway 290/SH71
Project Authorization:	2005-2006 Amended Capital Budget
Funding Source:	1984 G.O. Bonds
Fund/Agency/Orgn:	8250-807-2075

Total Current Appropriation	\$23,736,154.00
Unencumbered Balance	\$382,153.00
Amount of this Action	<u>(\$14,091.49)</u>
Estimated Available	<u><u>\$348,061.51</u></u>

Financial Approval: Rusty Cobern

Date: 02/27/2006